

IN THE DISTRICT COURT OF THE UNITED STATES
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

UNITED STATES OF AMERICA)	CRIMINAL NO.: 2:95-473
)	
vs.)	
)	
KRISHAN KUMAR GUPTA,)	
a/k/a K. K. Gupta)	
)	
Defendant.)	

MOTION TO DISMISS INDICTMENT

Comes now the United States of America, by and through its undersigned counsel, and respectfully moves this Court for leave to dismiss the Indictment as to the defendant in the above-entitled case without prejudice; and in support of this motion, avers as follows:

On May 10, 1995, the defendant was indicted in a one-count indictment charging him with entering and attempting to enter and introduce, into the commerce of the United States, imported merchandise by means of false statements and by means of a false and fraudulent invoice and U.S. Customs declaration, in violation of Title 18, United States Code, Section 542.

As a result of the lengthy time period that has lapsed since the filing of this case, it is the Government's position that the interests of justice would best be served by dismissal of the indictment as to the defendant, Krishan Kumar Gupta, in Case No. 2:95-473.

s:/Jonathan S. Gasser
JONATHAN S. GASSER
ACTING UNITED STATES ATTORNEY

Presented by:

s:/Carlton R. Bourne, Jr.
Carlton R. Bourne, Jr. (# 6426)
Assistant U.S. Attorney
151 Meeting Street, Suite 200
Charleston, SC 29401
Tel. (843) 266-1654